

# EXHIBIT Y

**In the Matter Of:**

**UNITED STATES vs STATE OF GEORGIA**

1:16-CV-03088-ELR

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**AMBER MCCOLLUM**

*November 09, 2022*

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1 or organized before you see it?

2 A Okay. Yes. It -- it definitely is processed  
3 or organized before I see it.

4 Q Okay. What does that process entail?

5 A I don't know all of it because I'm not involved  
6 in it, but I do know that when I was hired, the -- the  
7 totality of the GNETS program used to be managed by the  
8 person who came before me, Harry Repsher, and Sandra  
9 DeMuth. And then when I became on board as a research  
10 specialist, the then director at the time, Debbie Gay,  
11 said, you won't really be reviewing anything that has to  
12 do with GNETS applications other than the funding part.

13 So I do know that there's a process. And  
14 occasionally GNETS directors would say, hey, this was  
15 part of our allocation document or our, you know, budget  
16 that we needed approved -- approved -- approval for, and  
17 I -- and Sandy DeMuth would always tell me, I've  
18 approved it, you know, and now they're ready for the  
19 budget. And my role was strictly reviewing the budget  
20 once it's in the consolidated application.

21 Q I see. So it was your understanding that  
22 Harold Repsher and Sandy DeMuth used to look at more  
23 parts of it, and then you are only looking at the budget  
24 parts, or was somebody else? I wasn't sure what you are  
25 were saying changed when Sandy DeMuth left?

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1           A    Yeah, I'm not sure what -- what each one of  
2   them did. I think they worked maybe in conjunction, or  
3   maybe they didn't. But Sandy DeMuth was the GNETS  
4   contact at the time, so she would be in close contact  
5   with Harry. And all I know is from the training that I  
6   received from Harry was that, hey, Sandy will, you know,  
7   let you know if she has any questions, and then this will  
8   be the part you're handling.

9           And then at some point, you know, as I was  
10   learning my job, I was trying to figure out what do I  
11   need to review, and Debbie was like, this is not your  
12   role. You are just reviewing what comes into the budget,  
13   so...

14          Q    So does somebody take the applications and put  
15   it into a form for you? Or I'm still trying to figure  
16   out what's different from what's submitted and what you  
17   are reviewing.

18          A    I don't know all of the procedures that happen  
19   before it gets to me, but when it gets to me, it is a --  
20   it's not necessarily a form. The consolidated  
21   application is -- I don't know how to describe it. So  
22   basically, you can pick the grant that you are receiving  
23   in the consolidated application and say, you know, I want  
24   to manage this grant, if you are the user. And then you  
25   would type in what you want to spend in the grant, and it

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1 will automatically populate based on the allocations that  
2 were approved by the State Board. You are receiving  
3 \$50,000, and so then you would budget that \$50,000 based  
4 on function codes and object codes and a description.

5 And so that is what I would be reviewing,  
6 specifically what's in the budget, what they are spending  
7 their money on. And it's not a separate attachment or a  
8 separate form.

9 Q That's very helpful. Okay. I understand that  
10 now. Thank you.

11 A Uh-huh. Yes.

12 MS. TAYLOE: Okay. Sandra, could you share tab  
13 29, please.

14 Q BY MS. TAYLOE: And let me know when it's up.

15 A It's up.

16 MS. TAYLOE: And I'd like to mark as Exhibit  
17 586 a document Bates stamped GA00031045.

18 (Plaintiff's Exhibit 586 was marked for  
19 identification.)

20 Q BY MS. TAYLOE: And are you familiar with this  
21 type of document, Ms. McCollum?

22 A Yes. This is the consolidated application.

23 Q Okay. That's what I thought. Okay. And so  
24 earlier when you said you review the budget portion of  
25 the application and it comes to you, is this the format

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1 Q And you said you were not sure whether it was  
2 allowable from state funds. Were you seeking Vickie's  
3 opinion on that or was she the decider?

4 MS. JOHNSON: Object to form.

5 THE WITNESS: It appears I am seeking her  
6 opinion, but I said I think it would be allowable in  
7 state funds, so.

8 Q BY MS. TAYLOE: And then after speaking with --  
9 well, the e-mail says that after speaking with Chris,  
10 Vickie Cleveland wrote, "I would not approve GNETS state  
11 grant funds to purchase a bus"; is that correct?

12 A I'm scrolling back up.

13 Yes, that is correct.

14 Q Okay. And she indicated that Mainstay needs to  
15 meet with the LEA special ed director to work something  
16 out; is that correct?

17 A It indicates that.

18 Q Okay. And what was your response to that?

19 A I said, "Great."

20 Q So why did the State deny the LEA and the  
21 program the authority to use their budgeted funds to make  
22 a purchase if the program determined it would be  
23 beneficial and would help get GNETS students into the  
24 community?

25 MS. JOHNSON: Object to form.

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1 THE WITNESS: I don't know why the  
2 determination was made because I wasn't on the phone  
3 call, if she had a phone call.

4 Q BY MS. TAYLOE: So the GNETS program and the  
5 LEA together were preparing a budget amendment and sought  
6 the State's approval for it, and it was denied without  
7 any further documentation besides what's in this  
8 document?

9 MS. JOHNSON: Object to form.

10 THE WITNESS: We don't document every  
11 conversation that we have when we're discussing  
12 allowability. So I can only speak to exactly what's in  
13 the e-mails, but I -- I feel like they don't give all of  
14 the context, because I don't know what was in the  
15 conversation with her.

16 I think, if I'm only speaking for myself, I  
17 originally said they wouldn't have been allowed for  
18 federal but allowed for state, the bus, because  
19 transportation is universal to all students, and so we  
20 generally don't approve buses in special education,  
21 although, we have before if there has been a documented  
22 specific special education need.

23 So I forwarded it to Vickie to find out about  
24 that, and then I wasn't part of the decision after that.  
25 It sounds like she talked to Chris and found out more

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1 about it.

2 Q BY MS. TAYLOE: And even though LEAs are not  
3 required to make any contributions, this could be denied  
4 on the grounds that that's something they should be able  
5 to work out with the LEA?

6 MS. JOHNSON: Object to form.

7 THE WITNESS: It could be denied on -- on many  
8 different grant -- multiple reasons it could be denied.  
9 I don't think it's just because we expect that the LEA  
10 should have the funding. It may have been something that  
11 Chris, you know, told Vickie. There could have been  
12 details that Chris told Vickie that led Vickie to believe  
13 that it's not allowable, but all of this is speculation  
14 because I don't know what they talked about.

15 Q BY MS. TAYLOE: Okay. So even with your  
16 recommendation that you found it allowable, Vickie  
17 Cleveland had the authority to deny the purchase?

18 MS. JOHNSON: Object to form.

19 THE WITNESS: I trusted her as a colleague in  
20 the conversation that she had because she's the program  
21 director for GNETS, but my "great" does not mean that I  
22 thought that was great. My "great" meant I'm ready to  
23 move on.

24 Q BY MS. TAYLOE: Yeah, I didn't take it as an  
25 endorsement of, you know, denying it; just that it was



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1 determined.

2 A Right.

3 Q But that was how you took it, it was  
4 determined, like we had decided not to permit --

5 A Yeah.

6 Q -- this purchase?

7 A That's how I took it, yeah.

8 Q Okay.

9 MS. JOHNSON: When you get to a stopping point,  
10 can we take a break?

11 MS. TAYLOE: We were actually planning on that.  
12 So in 20 minutes or so?

13 MS. JOHNSON: In 20 minutes or a 20-minute  
14 break?

15 MS. TAYLOE: No, take it now for about 20  
16 minutes.

17 MS. JOHNSON: Okay. I mean, I don't need that  
18 long, but if you want 20 minutes, that's fine.

19 MS. TAYLOE: Is 20 minutes okay with everybody?

20 MS. JOHNSON: Sure.

21 THE VIDEOGRAPHER: Off the record at 4:09 p.m.

22 (The deposition was at recess from 4:09 p.m. to  
23 4:33 p.m.)

24 THE VIDEOGRAPHER: Back on the record at 4:33  
25 p.m.

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1 MS. JOHNSON: Object to form.

2 THE WITNESS: As grants as a whole, yes. So we  
3 have a -- you know, procedures that we follow and budget  
4 amendments come in, and yes. But it's not specific to  
5 GNETS, the procedures that I follow.

6 Q BY MS. TAYLOE: Okay. And the procedures for  
7 grants as a whole also apply to the GNETS grants?

8 A Yes.

9 Q Okay. And then in the next subsection, it  
10 says, "Notify the fiscal agents regarding each fiscal  
11 year's allocation and approve GNETS services budgets"?

12 A I see that it says that.

13 Q Does GaDOE do that?

14 MS. JOHNSON: Object to form.

15 THE WITNESS: Yes. GaDOE does do that.

16 Q BY MS. TAYLOE: Okay.

17 A GaDOE approves GNETS specific LEA budgets. In  
18 my office, I can't speak to what other people do, but I  
19 do know that for the federal funds specifically, we do  
20 send out grant award notifications, and we post how much  
21 funding they'll receive in state and federal on our  
22 website, so...

23 But I don't know if I'm reading this in  
24 context, as like if it's a big notification or if you're  
25 talking about what I do specifically.